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July 9, 2007

Via Electronic Court Filing

Honorable Patti B. Saris
United States District Court for the District of Massachusetts
1 Courthouse Way
Boston, MA 02210

Re: *New England Carpenters, et al. v. First DataBank, et al.*
Case No. 05-cv-11148 (D. Mass.)

Dear Judge Saris:

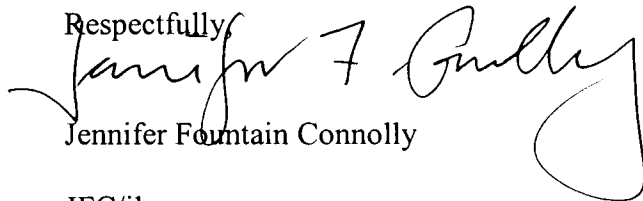
I write with regard to third-party AmeriSource Bergen's ("ABC") motion to quash Plaintiffs' subpoena to Dennis Lindell which will be transferred to you today pursuant to the order of Magistrate Judge Mayeron of the United States District Court for the District of Minnesota.

The last item in the file is a July 9, 2007 letter to Judge Mayeron from Lori A. Schechter, counsel for McKesson, in which she calls to the Court's attention that Plaintiffs did not serve their opposition to ABC's motion to quash on McKesson. I accept full responsibility for this failure. I reviewed Plaintiffs' opposition while I was on vacation and therefore failed to notice that the certificate of service only provided for service by ECF in the District of Minnesota, which did not include McKesson's counsel.

Immediately after learning of McKesson's failure to receive service we prepared an amended certificate of service and served all counsel of record in this litigation. While our opposition was short and therefore should not require additional time for McKesson to consider, we certainly would not oppose McKesson filing an additional brief in order to address any arguments made in our opposition.

I apologize for any inconvenience this may cause the Court.

Respectfully,



Jennifer Fountain Connolly

JFC/jlc

cc: All counsel of record via ECF
Lori A. Schechter (via electronic mail)

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